

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TRIPLE A MACHINE SHOP INC.,

No. C 07-02371 CRB

Plaintiff,

**ORDER DENYING MOTION FOR
RECONSIDERATION**

v.

THOMAS G. OLSEN,

Defendant.

Defendant Thomas Olsen moves for reconsideration, requesting that the Court modify its Order dated January 11, 2008 to provide for a mandatory timeframe within the Department of Labor must adjudicate Triple A's request for termination of benefits pursuant to 33 U.S.C. § 922. The Court is not confident that it has the authority to mandate such a timeframe, and would decline to do so even if it did.


As it stands, neither party is wholly content with the Court's resolution of the contempt proceeding because Triple A continues to pay monies into a Special Fund that it does not believe it should have to pay, and Olsen is no longer receiving disability payments to which he believes he is entitled. While the Court is sympathetic to the plight of both parties, there is now a significant incentive for all parties to resolve Triple A's claim in a timely and efficient fashion.

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1 The motion for reconsideration is DENIED, and the parties are encouraged to dedicate
2 all efforts towards resolution of the § 922 proceeding.

3 **IT IS SO ORDERED.**

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6 Dated: January 24, 2008



CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE